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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KEVIN ALMY,
Plaintiff,
v.
R. BANNISTER et al.,
Defendants.

3:13-cv-645-MMD-VPC
ORDER

I. DISCUSSION

On February 7, 2014, this Court entered a screening order and stayed the case for 90 days to give the parties an opportunity to settle their dispute through informal settlement discussions. (ECF No. 9, 12). The parties did not settle and this Court ordered the Clerk of the Court to serve Defendants. (ECF No. 27).

On April 13, 2015, Plaintiff filed an ex parte request for the Clerk of the Court. (ECF No. 98 at 1). In that motion, Plaintiff states that, although he argued about Defendant Bannister's culpability in the complaint, the screening order omits whether Defendant Bannister is a defendant in this case. (*Id.*). Plaintiff seeks clarification. (*Id.*).

The Court interprets the motion as one for clarification and grants the motion for clarification. Upon reviewing the complaint, Plaintiff is correct that he does allege facts regarding Bannister's culpability. (See ECF No. 10 at 47). As such, the screening order is amended to permit Count 1 (retaliation) to proceed against Defendant Bannister.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Court interprets Plaintiff's motion for ex parte request from the Clerk of Court (ECF No. 98) as a motion for clarification.

IT IS FURTHER ORDERED that the Court grants Plaintiff's motion for clarification (ECF

1 No. 98).

2 IT IS FURTHER ORDERED that the screening order (ECF No. 9) is amended to permit
3 Count 1 (retaliation) to proceed against Defendant Bannister.

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5 DATED: This 27th day of April, 2015.

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8 United States Magistrate Judge
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